

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

ELVIN R. BREEDING,

Defendant.

CASE NO. 07-CV-11495

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

VIRGINIA A. MORGAN
UNITED STATES MAGISTRATE JUDGE

ORDER

**(1) ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION;
AND (2) GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Before the Court is the Magistrate Judge's November 26, 2007 Report and Recommendation granting Plaintiff's September 18, 2007 Motion for Summary Judgment. Neither party has filed timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d). Having reviewed the Magistrate Judge's conclusions of fact and discussion of law, the Court hereby:

- (1) **ADOPTS** the Magistrate Judge's Report and Recommendation (Doc. No. 7); and
- (2) **GRANTS** Plaintiff's Motion for Summary Judgment (Doc. No. 3).

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: January 17, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on January 17, 2008.

s/Denise Goodine

Case Manager